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IN THE

Supreme Court of the United States

No. 71-689

COMMONWEALTH OF PENNSYLVANIA, et al.,
Petitioners,

v.

GEORGE P. BAKER, et al.,
Respondents.

REPLY BRIEF

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REPLY BRIEF

Petitioners submit this Reply Brief, pursuant to Rule 24(4), concerning the argument advanced by Penn Central Transportation Company, first raised in its brief in opposition, that standing to bring litigation such as that sought by petitioners, is confined to the United States Attorney General. (PC Br., pp. 13-18). Penn Central relies upon *Congress of Railway Unions v. Hodgson*, 326 F. Supp. 68 (D.C. 1971).

We believe this is a matter which further indicates the desirability of plenary consideration by this Court. We disagree with the decision in *Congress of Railway Unions*.

supra. The standing to sue obstacle has been narrowed in recent years. Cf. *Association of Data Processing v. Camp*, 397 U.S. 150 (1970); *Barlow v. Collins*, 397 U.S. 159 (1970); K. Davis, *The Liberalized Law of Standing*, 37 U. of Chi. L. Rev. 450 (1970). Moreover, remedies apart from Rail Passenger Service Act of 1970 are expressly saved by virtue of section 307(b) thereto, 45 U.S.C. 547(b).

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